IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.461 OF 2007

M/s.Haria Export Ltd. & Ors. ..Petitioners
Vs.
The Union of India & Ors. ..Respondents

Mr.L.S.Shetty with A.M.Sethna for the Petitioners.
Mr.A.S.Rao with Ms.Nisha Valani for the Respondents.

CORAM :- DR.S.RADHAKRISHNAN &
J.P.DEVADHAR,JJ.

DATE : 25TH JANUARY,2007

P.C.

1. Heard the learned Counsel for the parties. By this Petition, the Petitioners are challenging the order dated 26th September,2006 passed by the Appellate Tribunal for Foreign Exchange, New Delhi with regard to pre-deposit amount. The learned Counsel for the Petitioners brought to our notice that as of date, the balance outstanding export proceeds is only around Rs.90,00,000/- and not Rs.3,44,55,106.86. Since after the said order was passed, the Petitioners have been able to recover substantial amounts. In view thereof, only on this limited ground, we set aside the impugned order dated 26th September,2006 with the liberty to approach the said Tribunal with a fresh application with regard to pre-deposit. The Writ Petition stands disposed of accordingly.

(J.P.DEVADHAR,J.) **(DR.S.RADHAKRISHNAN,J.)**